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14 **Attorneys for Plaintiffs**

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA
17 WESTERN DIVISION

19 ADIDAS AMERICA, INC., and
20 ADIDAS AG,

Plaintiff,

21 v.

22 WAH LEI FOOTWEAR (U.S.A.)
23 CORPORATION, FU JU (U.S.A.)
24 GROUP INC., LA DISCOUNT SHOES,
25 SUNNY SHOES CORP., and TOP
SHOES, INC.

26 Defendants.

Case No.: CV08-04969-JFW

**FINAL JUDGMENT AND
PERMANENT INJUNCTION ON
CONSENT REGARDING
DEFENDANT FU JU (U.S.A.) d/b/a LA
DISCOUNT SHOES**

1 This Court, having considered the Complaint on file in this action, and
2 Defendant Fu Ju (U.S.A.) Group Inc., doing business as “LA Discount Shoes” (“Fu
3 Ju” or “Defendant”), a California corporation, having consented to the terms of the
4 judgment and permanent injunction set forth below, this Court hereby finds as
5 follows:

6 1. Plaintiff adidas AG owns and adidas America, Inc. extensively uses the
7 Three-Stripe trademark (the “Three-Stripe Mark”), which is covered by valid U.S.
8 Trademark Registration Nos. 870,136, 1,815,956, 1,833,868, 2,016,963, 2,058,619,
9 2,278,589, 2,278,591, 2,284,308, 2,909,861, 2,999,646, 3,029,127, 3,029,129,
10 3,029,135, 3,087,329, and 961,353 (the “Trademark Registrations”). Copies of the
11 Trademark Registrations are attached hereto collectively as Exhibit A.

12 2. On July 29, 2008, adidas filed a complaint in the instant action claiming,
13 *inter alia*, that Fu Ju advertised, distributed, offered for sale and sold footwear bearing
14 four parallel stripes in a manner that infringes adidas’s rights in and dilutes the
15 distinctive quality of adidas’s Three-Stripe Mark (the “Infringing Footwear”). A
16 photograph of a representative example of the Infringing Footwear is attached hereto
17 as Exhibit B.

18 3. The Court has jurisdiction over the subject matter of this action and over
19 Defendant and venue in this action is proper in this judicial district.

20 **IT IS HEREBY ORDERED** that:

21 1. Judgment shall be entered against Defendant Fu Ju as to each of the
22 claims asserted by adidas against it.

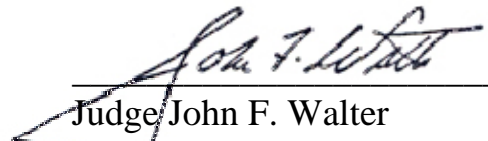
23 2. Defendant and all its agents, officers, employees, representatives,
24 successors, assigns, attorneys, and all other persons acting for, with, by, through, or
25 under authority from Defendant, or in concert or participation with Defendant, and
26 each of them, be PERMANENTLY ENJOINED and RESTRAINED, from:

- a. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying the Infringing Footwear;
- b. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying any other footwear bearing the Three-Stripe Mark or any other confusingly similar imitation of adidas's Three-Stripe Mark, including without limitation any footwear having a design, mark, or feature on the side of the upper that consists of (1) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) with one additional stripe; or (2) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) less one of the three stripes;

3. The parties shall bear their own costs, including attorneys' fees.

4. The Court shall have continuing jurisdiction to enforce the provisions of the permanent injunction entered herein.

IT IS SO ORDERED, this 19th day of September, 2008.



Judge John F. Walter
United States District Court